

**In the United States District Court**  
**for the Middle District of North Carolina**  
**Greensboro Division**

Defendant, Brian David Hill  
v.  
Plaintiff, United States of America

Criminal Action No. 1:13-cr-435-1

**SECOND DECLARATION ON CONDITIONS AT THE TIMES**  
**OF FALSE ADMISSIONS OF GUILT**

I am Brian David Hill the defendant in this federal case. I am filing this declaration under Oath regarding the fact that I have good reasons why I had falsely made multiple admissions of guilt. Part of that was because of the conditions of my detainment while I was in the county jails. They weren't right and should be construed as human rights abuses. Human rights abuses do go on inside the county jails and usually the authorities don't take the word of inmates/prisoners so people that are abused, neglected, or mistreated in the county jails have no justice at all so it is far easier to want to plead guilty to get out of hell....err I mean jail quicker and not have to serve as much time, and yes that includes Innocent people too.

In fact I learned now that I would have to have control over the child pornography files on my computer in order for it to constitute as possession. Since a computer hacker and computer virus has control of the child pornography files as I suspected, then that does not constitute even possession of child pornography. So I may have assumed that I am only technically guilty due to claim of files being found on my computer, but if a computer forensic expert testifies that he found traces of a computer virus or Trojan horse during the time of the alleged offense then I did not have control over any of those files. I only possess child porn if I intended to seek those files to place in my hard drive under my control which is not the case since evidence can be found of a computer hacker. I didn't meet the criteria for possession if a computer hacker put those files on my computer and had control over them whether I was using my computer or not. I was not alone on my computer when a hacker was on there doing illegal activities. Even if I suspect the eMule computer virus of planting child porn by using eMule, it may not explain

how every single file got there so that was also why I had suspected evidence planting and tampering. So I am NOT GUILTY of the elements of the offense. I have to be guilty of all elements and be found guilty under the case law definition of what constitutes guilt of possession of child pornography before I can be found guilty. I did not have control of my computer during the time of the alleged offense. I did not know how all of the child porn files could have got there.

How do I have an addiction? I only said that because of Mayodan Police and what they said to me. They were suggesting to ME about a little girl at Walmart telling me that “Hey she’s a cute little girl.” Those detectives seem to have some kind of problem the way they were the ones that put their baseless accusations into my own head to have me confessing to that extent the way they wanted it, even if it’s not true. I now have reasons to believe the detectives have a sick mind and I went along with it saying one false admission of guilt after another making my confession sound so bad that I was going to lose the Jury Trial if I didn’t make more false admissions of guilt for Time Served but suffering under Probation. After a few weeks of my false admissions in 2012 I stopped trying to seek mental health treatment for the so called fake addiction to child porn when I realized the detectives may have violated my rights by not giving me an advocate and interrogating me alone when they know I have Mild Autism at the time. That was when I realized I was being manipulated to making that false confession, that various statements in that confession can be proven as untrue, had my family been allowed to testify or submit Affidavits, but public defender Eric David Placke didn’t want any of that as it would weaken the government’s case, and allow me to win which would take too much resources of the limited resources of the public defender office.

I like to attach a few medical papers to this Declaration which prove beyond doubt that my blood sugars were difficult to control while under incarceration. I had to eat emergency snacks or sugar packets when it goes low to prevent me from going into a diabetic seizure, then at times the jail and prison nurses don’t give enough insulin. It is a vicious battle because they didn’t follow Dr. Steven South’s recommendation for Insulin to Carb Ratio and sliding scale. I usually follow the ratio of 1 unit per 7 grams of carbohydrates. The prison didn’t even know about Dr. Steven South when he was one of my doctors. None of the jails wanted to use carb ratio and rather just give me a select amount of insulin everyday just so I have

insulin to meet the criteria for receiving medical treatment but not enough to prevent diabetic complications and suffering which can coerce me and force me to make false admissions of guilt in order to get OUT OF JAIL.

Dr. Graney's evaluation was calling me a pedophile basically in her stupid report. Dr. Graney was just some biased prison psychologist and she took certain things I said the wrong way. I am not guilty and I told her that over and over again. I have written proof of all of that using electronic request to staff messaging system at the Federal Correctional Institution 1 at Butner, NC. Dr. Graney didn't even acknowledge that I made statements in the confession that don't match the exact statements in SBI Agent Rodney White's report. She just took that Agent White claimed to have found child porn and my confession then used it against me. She didn't want to accept any evidence outside of my public defender pretender. I can understand why she was biased, profits must be really good in the prison industrial complex right now especially in the Sex Offender Treatment Program with forced medications under the threat of Probation Revocation if people don't get drugged up on medications and lying that they are pedophiles when they are not.

Placke told me when he discussed the plea agreement with me, when he wanted to pressure me into the plea agreement, he told me that I should sign the plea agreement before the Court starts appointing Jurors to come in to the court. He told me that if I sign it quickly then I will get that reduction for acceptance of responsibility. Then also told me that I would get time served. The problem I had with his pressuring and promises of time served is that I shouldn't serve any sentence including Supervised Release under Probation because I believe I am Innocent.

My public defender didn't want to prove a computer hacker and computer virus or Trojan Horse was on my seized computer, he never asked me if I wanted to prove that but I wanted to prove it before the Jury trial that I was destined to lose since no evidence in my favor was ever entered by Public Defender Eric Placke for trial. I have NO addiction to child porn, those statements were FALSE in the Wake Forest and Bowman Gray hospital. My child porn addiction statements were false.

It makes me sick how they wanted me to be a victim of the Prison Industrial Complex and Sex Offender treatment pharmaceutical Industrial complex.

The U.S. Marshals know for a fact I had diabetes problems and some of them heard me complaining to them about my high blood sugar and needing insulin.

The Adam Walsh Act was never meant to put the innocent people through torture. The Sex Offender Registry is no longer being used for its intended purpose. With the medical torture being done to me, nobody will have faith in the court anymore in the future. Nobody will take the court seriously if torture by partial medical neglect by giving half of the insulin normally needed is allowed to pressure people into guilty pleas. I just can't take it anymore being told by my Probation Officer that I am a convicted sex offender which she told me and my mother. My Probation Officer wouldn't have said that to me had I received a fair trial, had I had effective counsel, had I not just been given half of my insulin with NO Lantus instead of what prescriptions I use outside of jail, and had I been allowed access to my locally cached evidence on my computer. The Adam Walsh Act violated every one of my civil liberties and took away my right to a Fair Trial along with the public defender office. It violated my right to inspect and photocopy the SBI case file, the Adam Walsh Act violated my right to gather evidence outside of jail, the Adam Walsh Act violated my right to a fair trial, and the Adam Walsh Act is the problem that led to my wrongful conviction. The Adam Walsh Act had me treated like I was already a Sex Offender before I even went to trial.

I should never go back to jail in the event I am given a New Trial. The Court should just keep me on Supervised Release as my release conditions until I beat my conviction by winning a Jury Trial. Jail will never work and the thought of being **given half of my insulin in jail** and **suffering** turns me away from taking it back to a Trial at the threat of going back to **HELL of a JAIL**. I don't deserve going to jail and I shouldn't be punished for trying to prove my Innocence but I feel like I am going to be punished anytime I try to prove my Innocence or reasonable doubt to the court. None of this is justice and is the total opposite of what John Walsh wanted when he caused the creation of the Adam Walsh Act.

There needs to be a change by Congress to the Adam Walsh Act as IT IS A **BROKEN LAW** and has caused innocent people to become Sex Offenders instead of the real pedophiles that go into hiding.

So again two pages of document from Butner, NC are attached to prove my medical problems were out of control while I was jailed or in prison for the mental evaluation. I never should have been locked up. It would have been better if I were simply summonsed to go to trial and allowed to stay released with access to all of my evidence on my computer to introduce evidence pretrial to use in the Jury Trial to help give me a fair trial. A lot of wrongs were done to me throughout my case. If The Rutherford Institute had represented me then I would have just asked for acquittal based on all the violations of my Constitutional rights while I was incarcerated. The Court needs to not use the false admission of guilt against me.

Even at Butner, NC I was only given a limited amount of NPH. NPH is not the usual method insulin I usually get. It is units and based on carb intake and sliding scale. The jails did not take good care of me and my health can never survive in the jails for too long. The only reason my health wasn't as bad as it could have been was because I kept exercising in my cell at the jails or exercise during my 1-hour out of my cell. The reason my blood sugar went up and down despite being given limited insulin was because FCI-1 Butner, NC had a large running track and recreation yard. I kept walking on the track and even using their exercise room machines to build my muscles. All the exercising was why my A1C went as low as 8.8 but it still wouldn't prevent me from losing weight as my body needs a certain amount of calories every single day depending on how active I am and how much energy my body uses each day. I need the insulin to cover all of the carbs I intake. The jails did not give me enough insulin to cover all the carbs I ate and the diet trays do no good and only limit my energy and it impacts my critical thinking which makes it difficult to defend myself in a criminal case. The jails made it extremely difficult to even fight my case, especially without a effective lawyer. In fact it is impossible when the jail kept blocking evidence from being sent in by my family using U.S. mailings. Going to jail is basically subjecting myself to unreasonable suffering of my physical and mental health, zapping me of my ability to fight the good fight, and making it easier for coercing me, pressuring me, and manipulating me to take the guilty plea agreement under Oath knowing this will damage my life and take away my Constitutional freedoms when I am NOT GUILTY of the offense due to a computer hacker and corrupt involvement in the investigation of my case while the charges were pending in Rockingham County which is all biased and a conflict of interest.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 22nd, 2015.

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Brian D. Hill ( pro se )  
916 Chalmers St. – Apt. D, Martinsville, VA 24112  
Phone: (276)632-2599

**CERTIFICATE OF SERVICE**

I hereby certify that on April 24, 2015, I filed the foregoing

**SECOND DECLARATION ON CONDITIONS AT THE TIMES OF FALSE  
ADMISSIONS OF GUILT**

with the Clerk of the Court

by mailing using the United States Postal Service, Postage prepaid.

The filing should be added by the Clerk to the CM/ECF system which will send  
notification of such filing to the following parties:

Mr. Anand P. Ramaswamy  
Assistant United States Attorney  
101 South Edgeworth Street  
Greensboro, NC 27401  
Fax: (336) 333-5381

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Phone: (276) 632-2599



**FMC Butner**  
1000 Old Highway NC 75  
Butner, NC 27509  
919-575-3900 x5707

\*\*\* Sensitive But Unclassified \*\*\*

<b>Name</b> HILL, BRIAN	<b>Facility</b> FCI Butner I	<b>Collected</b> 02/19/2014 7:44
<b>Reg #</b> 29947-057	<b>BUX Unit</b> N04	<b>Received</b> 02/19/2014 8:06
<b>DOB</b> 05/26/1990	<b>Provider</b> D. Gonzalez, MLP	<b>Reported</b> 02/19/2014 15:01
<b>Sex</b> M		<b>LIS ID</b> 050141044

#### CHEMISTRY

Sodium	136	136-145	mmol/L
Potassium	4.2	3.5-5.1	mmol/L
Chloride	102	98-107	mmol/L
CO2	26	21-32	mmol/L
BUN	15	7-26	mg/dL
Creatinine	1.1	0.6-1.3	mg/dL
GFR IDMS est.	>60		

GFR units measured as mL/min/1.73 m<sup>2</sup>. If African American, multiply by 1.210. A calculated GFR <60 suggests a chronic kidney disease if found over a 3 month period.

Calcium	9.3	8.4-10.2	mg/dL
Glucose	H 357	70-109	mg/dL
Anion Gap	L 7.9	9.0-19.0	

#### SPECIAL CHEMISTRY

TSH	1.102	0.350-4.940	uIU/mL
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#### HEMATOLOGY / COAG

WBC	6.0	4.0-11.0	K/uL
RBC	5.00	4.50-6.00	M/uL
HGB	15.2	13.5-18.0	g/dL
HCT	46.0	40.0-52.0	%
MCV	92.1	80.0-100.0	fL
MCH	30.4	25.4-34.6	pg
MCHC	33.1	31.0-37.0	g/dL
RDW	13.7	11.0-15.0	%
Platelet	209	150-400	K/uL
MPV	9.7	7.0-11.0	fL

#### HEMOGLOBIN A1C

Hemoglobin A1C	H 10.9	4.0-6.0	%
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#### URINALYSIS

Color	YELLOW	Yellow - Amber
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Stanislaw Sielicki  
Physician Assistant  
FCC Butner  
3/11/14

**FLAG LEGEND** L=Low LI=Low Critical H=High HI=High Critical A=Abnormal AI=Abnormal Critical

**Bureau of Prisons  
Health Services  
Clinical Encounter - Administrative Note**

Inmate Name:	HILL, BRIAN DAVID	Sex:	M	Race:	WHITE	Reg #:	29947-057
Date of Birth:	05/26/1990	Provider:	Sichel, Lawrence MD	Facility:	BUT	Unit:	N02
Note Date:	03/27/2014 11:30						

Medication Renewal/Review encounter performed at Health Services.

**Administrative Notes:**

**ADMINISTRATIVE NOTE 1**

**Provider:** Sichel, Lawrence MD

Nurse reports inmate told her he eats extra food at night because he is concerned he will be hypoglycemic with current Insulin doses. Will try lower NPH in evening.

**New Medication Orders:**

<u>Rx#</u>	<u>Medication</u>	<u>Order Date</u>	<u>Prescriber Order</u>
	Insulin NPH -Human	03/27/2014 11:30	30 units Subcutaneously each morning x 180 day(s) Pill Line Only

**Indication:** Diabetes mellitus, type I (juvenile type)

**One Time Dose Given:** No

Insulin NPH -Human	03/27/2014 11:30	18 units Subcutaneously each evening x 180 day(s) Pill Line Only
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**Indication:** Diabetes mellitus, type I (juvenile type)

**One Time Dose Given:** No

**Discontinued Medication Orders:**

<u>Rx#</u>	<u>Medication</u>	<u>Order Date</u>	<u>Prescriber Order</u>
902217-BUX	Insulin NPH (10 ML) 100 UNITS/ML INJ	03/27/2014 11:30	Inject 30 units of nph insulin subcutaneously each morning--- Inject 20 units of nph insulin subcutaneously each evening

**Discontinue Type:** When Pharmacy Processes

**Discontinue Reason:** Order changed

**Indication:**

**One Time Dose Given:**

**Schedule:**

<u>Activity</u>	<u>Date Scheduled</u>	<u>Scheduled Provider</u>
Consultation	03/27/2014 00:00	Pharmacist 01

Type 1 Diabetic with very poorly controlled labile blood glucose levels. Please evaluate in Diabetic Pharmacy clinic.